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Chapter 7

Case No. 23-12099 (PB)

[illegible]

Plaintiff,

Adv. Pro. 25-01087 (PB)

STIPULATION AND ORDER

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**STIPULATION AND ORDER EXTENDING TIME
FOR DEFENDANTS TO RESPOND TO THE ADVERSARY
COMPLAINT AND ADJOURNING PRE-TRIAL CONFERENCE**

WHEREAS, the Plaintiff filed the above-captioned adversary complaint action in this Court on April 21, 2025;

WHEREAS, the Court has scheduled a pre-trial conference for May 27, 2025 at 11:00 AM via videoconference;

WHEREAS, Plaintiff served Defendants Samuel Waksal, Francois Maisonrouge, Rui Wu, Graviton Bioscience Corp., Graviton Bioscience Holding Corporation, Graviton US Corp. (USA), Graviton Bioscience B.V., and Bihua Chen (“Defendants”) on April 23, 2025 by First-Class Mail upon the attorneys/parties listed on the annexed list at the addresses listed, said addresses designated for that purpose, by depositing a true copy of same enclosed in a postpaid, properly addressed wrapper, in an official depository under the exclusive care and custody of United States Postal Service within the State of New York, or by Electronic Mail;

WHEREAS, Defendants acknowledge and accept service of the Summons and Complaint filed in this adversary proceeding as of the date of execution of this Stipulation.

WHEREAS, Defendants waive any defenses based upon insufficiency of process or insufficiency of service of process pursuant to Federal Rule of Bankruptcy Procedure 7012 and Federal Rule of Civil Procedure 12(b)(4) and (5), but expressly reserve all other defenses and objections, including to the jurisdiction of this Court over this matter and these defendants;

WHEREAS, Plaintiff has agreed to an extension of time for Defendants Samuel Waksal, Francois Maisonrouge, Rui Wu, Graviton Bioscience Corp., Graviton Bioscience Holding Corporation, Graviton US Corp. (USA), Graviton Bioscience B.V., and Bihua Chen (“Defendants”) to respond to the Complaint;

WHEREAS, Plaintiff and Defendants agree that the pre-trial conference should be adjourned to a time after Defendants' response to the adversary complaint is filed.

IT IS HEREBY STIPULATED AND AGREED, by and among Plaintiff and the undersigned Defendants that:

1. If no motion to dismiss is filed, Defendants' time to answer the Complaint is extended through and including **July 21, 2025**.
2. In the event Defendants move to dismiss the Complaint, such motion shall be served and filed no later than **July 21, 2025**. Plaintiff(s) shall serve and file opposition papers no later than **August 29, 2025**. Defendants shall serve and file reply papers no later than **September 26, 2025**. The parties agree to request that the Court schedule a hearing on the motion at the Court's convenience following completion of briefing.
3. The pre-trial conference is adjourned from **May 27, 2025 to October 7, 2025 at 10:00 a.m. via Zoomgov.com**.
4. This stipulation may be executed by facsimile or electronic counterparts, and signatures in such form shall be deemed originals for purposes of entering and enforcing this stipulation.

Dated: May 14, 2025
New York, New York

**THE LAW OFFICES OF
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IT IS SO ORDERED.

Dated: New York, New York
May 23, 2025

/s/ Philip Bentley

**Hon. Philip Bentley
United States Bankruptcy Judge**